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Total Number of Pages in This Submission

3

Application Number	09/960,528
Filing Date	September 24, 2001
First Named Inventor	Hiroshi SUMIYAMA
Art Unit	2625
Examiner Name	Y. Qin
Attorney Docket Number	325772026900

### ENCLOSURES (Check all that apply)

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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	MORRISON & FOERSTER LLP		
Signature			
Printed name	Adam Keser		
Date	February 8, 2007	Reg. No.	54,217



Docket No. 325772026900  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Hiroshi SUMIYAMA et al.

Application No. 09/960,528

Confirmation No. 5299

Filed: September 24, 2001

Art Unit: 2625

For: IMAGE PROCESSING APPARATUS AND  
IMAGE FORMING SYSTEM

Examiner: Yixing Qin

**RESPONSE UNDER 37 CFR 1.111**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Action dated December 11, 2006, reconsideration and allowance of the claims is requested in light of the following remarks.

**REMARKS**

Claims 1-5 and 8-11 stand rejected under 35 USC 103(a) on Fischer (U.S. Patent No. 6,762,852) in view of Matsuura (U.S. Patent No. 6,930,796). Applicants respectfully traverse this rejection.

Applicants respectfully submit that the Examiner has improperly relied on Matsuura to reject the claims. 35 USC 103(c)(1) states that "Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed